

Case Number	21/03193/RG3 (Formerly PP-10036139)
Application Type	Application Submitted by the Council
Proposal	Erection of 5 'Older persons independent living' (OPIL) residential buildings comprising of 123 apartments, community hall and cafe facilities (Main Block and Blocks B to D), erection of 18 supported residential apartments in 1 block - (Block A - Complex needs accommodation) and provision of hard/soft landscaping and car parking accommodation (Application under Regulation 3 - 1992))
Location	Land Between Birley Moor Avenue and Birley Lane Newstead Road Sheffield S12 3BH
Date Received	14/07/2021
Team	City Centre and East
Applicant/Agent	Peak Architects - Mr Paul Hoden
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

## **Approved/Refused Plan(s)**

2. The development must be carried out in complete accordance with the following approved documents:

Drawing numbers:

NCP-PA-376-PL-010 Rev A (Site Location Plan) published 14.07.2021  
NCP-PA-376-PL-011 Rev A (Existing Site Plan) published 14.07.2021  
NCP-PA-376-PL-012 Rev E (Proposed Site Plan - Masterplan) published 13.10.2021  
NCP-PA-376-PL-013 Rev C (Proposed Site Plan - Plot Curtilages) published 13.10.2021  
NCP-PA-376-PL-014 Rev C (Proposed Site Plan - Roads, Footpaths & Parking) published 13.10.2021  
NCP-PA-376-PL-015 Rev E (Proposed Site Plan - North) published 14.07.2021  
NCP-PA-376-PL-016 Rev D (Proposed Site Plan - South) published 13.10.2021  
NCP-PA-376-PL-017 Rev A (Typical Enclosures and Shelters) published 14.07.2021

NCP-PA-376-PL-018 Rev B (Newstead Overall Masterplan) published 14.07.2021  
NCP-PA-376-PL-030 Rev C (Site Sections and Streetscapes - Sheet 01) published 27.10.2021  
NCP-PA-376-PL-031 Rev B (Site Sections and Streetscapes - Sheet 02) published 27.10.2021  
NCP-PA-376-PL-100 Rev B (OPIL Main block - Lower Ground Floor Plan) published 14.07.2021  
NCP-PA-376-PL-101 Rev A (OPIL Main block - Ground Floor Plan) published 14.07.2021  
NCP-PA-376-PL-102 Rev A (OPIL Main block - First Floor Plan) published 14.07.2021  
NCP-PA-376-PL-103 Rev B (OPIL Main block - Second Floor Plan) published 14.07.2021  
NCP-PA-376-PL-104 Rev B (OPIL Main block - Third Floor Plan) published 14.07.2021  
NCP-PA-376-PL-105 Rev B (OPIL Main block - Fourth Floor Plan) published 14.07.2021  
NCP-PA-376-PL-106 Rev B (OPIL Main block - Roof Plan) published 14.07.2021  
NCP-PA-376-PL-107 Rev B (OPIL Main block - GA Elevations 01) published 14.07.2021  
NCP-PA-376-PL-108 Rev B (OPIL Main block - GA Elevations 02) published 14.07.2021  
NCP-PA-376-PL-109 Rev B (OPIL Main block - GA Sections 01) published 04.08.2021  
NCP-PA-376-PL-120 Rev D (OPIL Complex Needs GA Plans) published 27.10.2021  
NCP-PA-376-PL-121 Rev D (OPIL Complex Needs GA Roof Plan) published 27.10.2021  
NCP-PA-376-PL-122 Rev D (OPIL Complex Needs GA Elevations) published 27.10.2021  
NCP-PA-376-PL-123 Rev D (OPIL Complex Needs GA Sections) published 27.10.2021  
NCP-PA-376-PL-130 Rev B (OPIL Plot B GA Plans) published 14.07.2021  
NCP-PA-376-PL-131 Rev B (OPIL Plot B GA Elevations) published 14.07.2021  
NCP-PA-376-PL-132 Rev B (OPIL Plot B GA Sections) published 04.08.2021  
NCP-PA-376-PL-133 Rev B (OPIL Plot C GA Plans) published 14.07.2021  
NCP-PA-376-PL-134 Rev B (OPIL Plot C GA Elevations) published 14.07.2021  
NCP-PA-376-PL-135 Rev B (OPIL Plot C GA Sections) published 04.08.2021  
NCP-PA-376-PL-136 Rev B (OPIL Plot D GA Plans) published 14.07.2021  
NCP-PA-376-PL-137 Rev B (OPIL Plot D GA Elevations) published 14.07.2021  
NCP-PA-376-PL-138 Rev B (OPIL Plot D GA Sections) published 04.08.2021  
NCP-PA-376-PL-139 Rev B (OPIL Plot E GA Plans) published 14.07.2021  
NCP-PA-376-PL-140 Rev B (OPIL Plot E GA Elevations) published 14.07.2021  
NCP-PA-376-PL-141 Rev B (OPIL Plot E GA Sections) published 04.08.2021  
NOP-SCE-Z0-XX-DR-L-0001 Rev P02 (Landscape Strategy 1 of 2) published 14.07.2021  
NOP-SCE-Z0-XX-DR-L-0002 Rev P05 (Landscape Strategy 2 of 2) published 14.07.2021  
NEW-UED-00-XX-DR-L-0001 Rev P05 (Tree Protection Plan) published 14.07.2021  
12116-WMS-ZZ-XX-DR-C-39511-S8 Rev P3 (Drainage Strategy) published 14.07.2021  
P0124-MEP-XX-XX-DR-ME-9604 Rev P01 (External M & E Services) published 14.07.2021  
SCC-HG5406-NE-13 (Topographic & Utility Survey - Sheet 13 of 13) published 14.07.2021

Reason: In order to define the permission.

### **Pre-Commencement Condition(s)**

3. No development shall commence until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority. Such details shall include:

- the means of ingress and egress for vehicles engaged in the construction of the development, including deliveries;
- effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway;
- parking of associated site vehicles and for the storage of materials;
- location and details of site compound/accommodation; and
- an area allocated for delivery/service vehicles to load and unload.

Thereafter, the construction management plan shall be implemented in accordance with the approved details for the period of construction or until written consent for the removal of the site compound is obtained from the Local Planning Authority.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

4. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

5. No development shall commence until details of measures to facilitate the provision of gigabit-capable full fibre broadband within the development, including a timescale for implementation, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details/timetable thereafter.

Reason: To ensure that all new Major developments provide connectivity to the fastest technically available Broadband network in line with Paragraph 112 of the National Planning Policy Framework.

6. No development shall commence until the measures to protect the existing trees to be retained, have been implemented in accordance with the approved plan and thereafter such measures shall be retained until the completion of the development. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

### **Pre-Occupancy and Other Stage of Development Condition(s)**

7. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the proposed development is brought into use and the proposed development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

All adjacent footways around the perimeter of the development, to be constructed to adoptable standards

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway.

8. Prior to the use of any part of the proposed development, full details of proposed building signage shall have been submitted to and approved in writing by the Local Planning Authority and such signage shall be displayed in accordance with the approved details and thereafter retained.

Reason: In the interests of the visual amenities of the locality.

9. No above ground works shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

10. Before above grounds works are carried out, all biodiversity enhancement measures recommended in the Preliminary Ecological Appraisal prepared by Wildscapes, ref: PO0930, dated 15th September 2020 (published 14.07.2021)

shall be set out in a Biodiversity Enhancement Management Plan (BEMP) and submitted to and approved in writing by the Local Planning Authority and implemented and maintained in accordance with the BEMP.

Reason: In the interests of biodiversity.

11. Prior to above ground works, full details of any proposed highway retention structures shall have been submitted to and approved in writing by the Local Planning Authority and thereafter such highway retention structures shall be constructed in accordance with the approved details.

Reason: In the interests of highway safety.

12. Prior to that part of the development commencing, full details of an alternative 'no-dig' construction method to be used to where construction will be within the root protection zone of any retained tree or proposed tree shall have been submitted to and approved in writing by the Local Planning Authority and thereafter the alternative construction method shall be implemented in accordance with the approved details.

Reason: In order to protect the tree roots of retained and proposed trees.

13. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

14. No externally mounted plant or equipment for heating, cooling or ventilation purposes, nor grilles, ducts, vents for similar internal equipment, shall be fitted to the building unless full details thereof, including acoustic emissions data, have first been submitted to and approved in writing by the Local Planning Authority. Once installed such plant or equipment shall not be altered.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

15. Prior to the installation of any commercial kitchen fume extraction system full details, including a scheme of works to protect the occupiers of adjacent dwellings from odour and noise, shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl.
- b) Acoustic emissions data for the system.
- c) Details of any filters or other odour abatement equipment.
- d) Details of the system's required cleaning and maintenance schedule.
- e) (Optional: Details of a scheme of works to prevent the transmission of structure borne noise or vibration to other sensitive portions of the building).

maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

16. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

- a) Be based on the findings of an approved noise report.
- b) Be capable of achieving the following noise levels:  
Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);  
Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);  
Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);  
Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
- c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the building.

17. Before the use of the development is commenced, Validation Testing of the sound insulation and/or attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:

- a) Be carried out in accordance with an approved method statement.
- b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound insulation and/or attenuation works thus far approved, a further scheme of works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

18. Details of all suitable means of site boundary treatment and including any retaining structures within the site shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellings and apartments shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

Reason: In the interests of the visual amenities of the locality.

19. The proposed comprehensive soft and hard landscaping as set out in the approved plan shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning

Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality.

20. The proposed residential accommodation shall not be used unless the cycle parking accommodation as shown on the approved plans has been provided in accordance with those plans and, thereafter, such cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport it is essential for these works to have been carried out before the use commences.

21. The proposed residential accommodation, cafe and community hall shall not be used unless the car parking accommodation as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

22. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

- (a) entrances
- (b) windows, including reveals and relationship with building facade
- (c) glazing
- (d) all external vents and servicing outlets
- (e) railings/screening to apartment balconies
- (f) feature brickwork

Thereafter, the works shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

23. Samples of all proposed external materials and finishes including fixing methods (where relevant) shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

24. A sample panel of the proposed masonry for the apartments shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

Reason: In order to ensure an appropriate quality of development.

25. Prior to the use of any part of the proposed development, full details of all proposed external lighting to buildings shall have been submitted to and

approved in writing by the Local Planning Authority and such signage shall be displayed in accordance with the approved details and thereafter retained.

Reason: In the interests of the visual amenities of the locality.

26. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

27. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, a detailed Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include:

1. Clear & unambiguous objectives to influence a lifestyle that will be less dependent upon the private car;
2. A package of measures to encourage and facilitate less car dependent living; and,
3. A time bound programme of implementation and monitoring in accordance with the City Councils Monitoring Schedule.
4. Provision for the results and findings of the monitoring to be independently validated to the satisfaction of the Local Planning Authority.
5. Provisions that the validated results and findings of the monitoring shall be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

Prior to the occupation of any dwelling, evidence that all the measures included within the approved Travel Plan have been implemented or are committed shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield and the Core Strategy.

28. Prior to that part of the development commencing, details including a drawing showing the proposed method of separation between the kitchen and the living room for apartments in the Complex Needs block shall have been submitted to and approved in writing by the Local Planning Authority and thereafter such works shall be implemented in accordance with the approved details and thereafter be retained.

Reason: In the interests of amenities of future occupants.

### **Other Compliance Conditions**

29. The development shall be carried out in accordance with the details shown on the submitted plan, drawing no. 12116 - WMS - ZZ - XX - DR - C - 39511 - S8 - P3 (revision P3) dated 09/07/2021.

Reason: In the interest of satisfactory and sustainable drainage.

30. Surface water discharge from the completed development site shall be restricted



to a maximum flow rate of 9.25 litres per second.

Reason: In order to mitigate against the risk of flooding.

31. The gradient of shared pedestrian/vehicular access shall not exceed 1:12.

Reason: In the interests of the safety of road users.

32. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email [snn@sheffield.gov.uk](mailto:snn@sheffield.gov.uk)

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

3. You are required as part of this development, to carry out works within the public highway: as part of the requirements of the New Roads and Street Works Act 1991 (Section 54), 3rd edition of the Code of Practice 2007, you must give at least three months written notice to the Council, informing us of the date and extent of works you propose to undertake.

The notice should be sent to:-

Highway Co-Ordination  
Sheffield City Council  
Town Hall  
Sheffield  
S1 2HH

Telephone: 0114 273 6677  
Email: highways@sheffield.gov.uk

Please note failure to give the appropriate notice may lead to a fixed penalty notice being issued and any works on the highway being suspended.

Where the notice is required as part of S278 or S38 works, the notice will be submitted by Highways Development Management.

4. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

Mr J Burdett  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6349  
Email: james.burdett@sheffield.gov.uk

5. The applicant is advised that in order to discharge the above condition relating to gigabit-capable full fibre broadband the following should be provided:
  - A contract or invoice for the installation of the physical infrastructure and the connection to gigabit-capable full fibre broadband.
  - Confirmation of the speed that will be achieved by the gigabit-capable full fibre broadband infrastructure, from the network operator.
  - Relevant plans showing the location/detail of the measures.

For more guidance with respect to addressing this requirement please see the Guidance Note on <https://www.sheffield.gov.uk/content/dam/sheffield/docs/documents-not-in-site-structure/new-build-developer-guidance.pdf> and/or contact [hello@superfastsouthyorkshire.co.uk](mailto:hello@superfastsouthyorkshire.co.uk)

6. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677  
Email: highways@sheffield.gov.uk

7. The applicant is advised that noise and vibration from demolition and

construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.

8. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
9. Plant and equipment shall be designed to ensure that the total LA<sub>r</sub> plant noise rating level (i.e. total plant noise LA<sub>eq</sub> plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA<sub>90</sub> background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.
10. The required CEMP should cover all phases of demolition, site clearance, groundworks and above ground level construction. The content of the CEMP should include, as a minimum:
  - Reference to permitted standard hours of working;
  - 0730 to 1800 Monday to Friday
  - 0800 to 1300 Saturday
  - No working on Sundays or Public Holidays
  - Prior consultation procedure (EPS & LPA) for extraordinary working hours arrangements.
  - A communications strategy for principal sensitive parties close to the site.
  - Management and control proposals, including delegation of responsibilities for monitoring and response to issues identified/notified, for:
    - Noise - including welfare provisions and associated generators, in addition to construction/demolition activities.
    - Vibration.
    - Dust - including wheel-washing/highway sweeping; details of water supply arrangements.
  - A consideration of site-suitable piling techniques in terms of off-site impacts, where appropriate.
  - A noise impact assessment - this should identify principal phases of the site preparation and construction works, and propose suitable mitigation measures in relation to noisy processes and/or equipment.
  - Details of site access & egress for construction traffic and deliveries.
  - A consideration of potential lighting impacts for any overnight security lighting.

Further advice in relation to CEMP requirements can be obtained from SCC Environmental Protection Service; Commercial Team, Fifth Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at eps.commercial@sheffield.gov.uk.

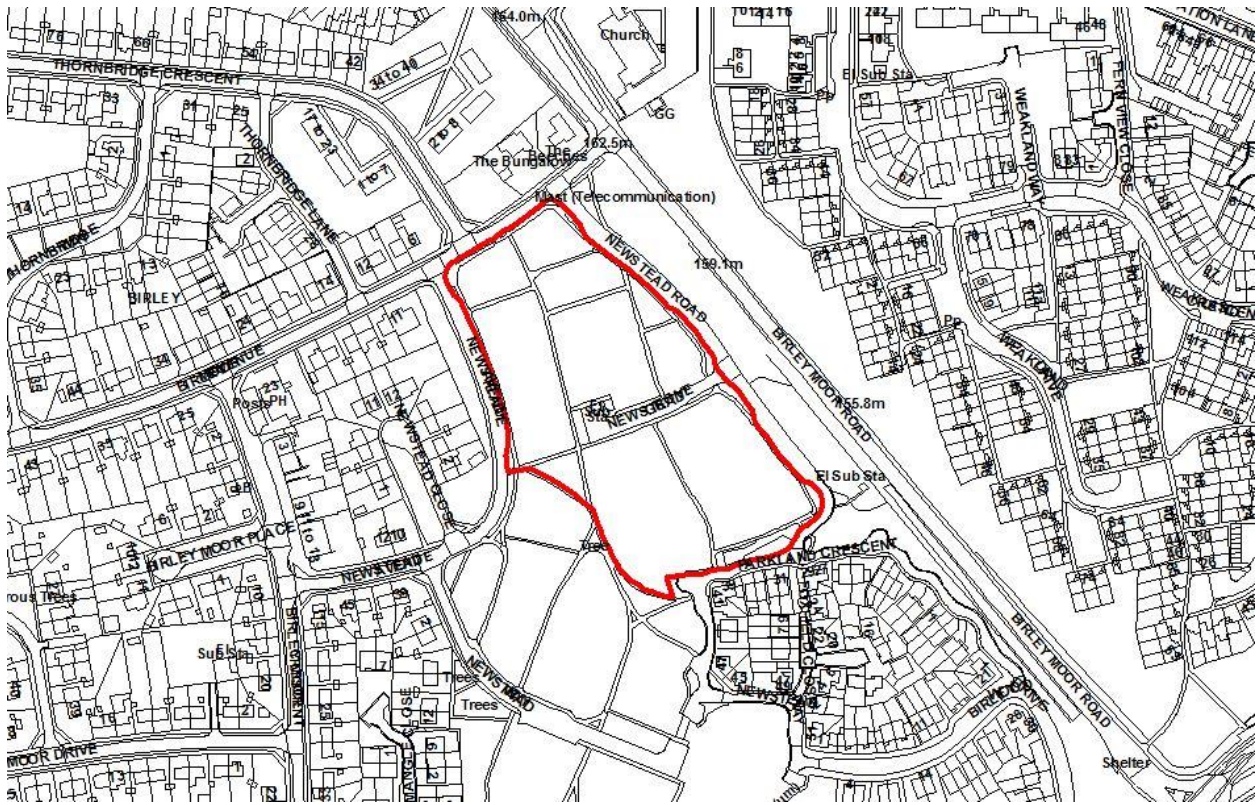
11. As the proposed development will involve the closing/diversion of a public highway(s) you are advised to contact the Highway Records team as soon as

possible with a view to the necessary authority being obtained for the closure/diversion of the highway(s) under Section 247 of the Town and Country Planning Act 1990. This process can take several months to complete.

Principal Engineer, Highway Records  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6301 or 273 6125  
Email: [highwayrecords@sheffield.gov.uk](mailto:highwayrecords@sheffield.gov.uk)

# Site Location



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## LOCATION AND PROPOSAL

This application relates to a large parcel of land, measuring 1.9 hectares in size, which occupies a prominent, elevated position, set back on the west side of Birley Moor Road, which is a main vehicular route into the city, bounded by Newstead Road to the east with Newstead Grove positioned centrally within the site; Newstead Avenue to the west; Birley Moor Avenue to the north; and Parkland Crescent to the south. The site is set within a residential environment, with residential properties located opposite the site, further to the east, and to the south-east and west. To the south-west is green space which has planning permission to develop for general needs housing.

The whole of the site lies within a designated housing area, except for a strip of land along the south-west which forms part of an area of open space linking the lower site further to the south already approved under 21/01059/RG3.

The site is predominantly open grassland, with a series of pedestrian routes and a redundant carriageway. A group of mature trees extend along the south-west boundary and several trees are scattered elsewhere within the site.

The land falls away from the north to the south and south-east with land beyond falling steeply away and therefore offers long range views with vistas out to the south over the golf course and open countryside to the east.

This application dates back to a decision by Cabinet in April 2002 to formally approve the clearance of all 809 houses on the estates of Scowerdons, Weaklands and Newstead (SWaN), located in the south-east of Sheffield. This was following extensive consultation with residents.

Outline consent (with all matters reserved for later approval) was granted in September 2003 for the demolition of 139 1960's prefabricated Vic Hallam system build homes within the Newstead estate. The former Radburn estate layout contributed to a number of social problems due to a lack of public/private space separation, an extensive pedestrian network and segregated parking.

Phases 1 and 2 of the wider Newstead development, comprising of 76 dwellinghouses, which have been built out and are now occupied, bound the site to the south-east. Phase 3 of Newstead (refer 21/01059/RG3) which will provide 77 general needs residential properties, comprising 41 dwellinghouses and 36 apartments in 3 apartment blocks was approved by Members in June 2021 and will located to the south and south-west.

Planning permission (refer 21/02466/RG3) has recently been granted for enabling works to facilitate the clearance of the site and preparing it for development. This application relates to Phase 4 of the wider Newstead masterplan to develop land between Birley Lane and Birley Moor Avenue to deliver multi-generational housing accommodation, replenishing much needed housing stock, in the form of general needs housing and old peoples independent living accommodation. Planning permission is sought to develop the site, providing 'Older persons independent living' (OPIL) accommodation in the form of 5 residential buildings comprising of 123 apartments, community hall and café facilities (main block and blocks B to D); erection of 18 supported residential apartments in 1 block (Block A – complex needs accommodation) and provision of hard/soft landscaping and associated car parking accommodation together with associated highway infrastructure.

21/02466/RG3 – Planning permission was granted 7<sup>th</sup> October 2021 for enabling works for the Newstead General Housing proposal (21/01059/RG3) and this current application, which included earthworks, utilities, drainage, landscape, tree removal, site compound, hoarding and associated works.

21/01059/RG3 – Planning permission was granted 23<sup>rd</sup> June 2021 for the erection of 41 dwellinghouses and 3 apartment blocks (2 x four-storey and 1 x three-storey) comprising 36 apartments (77 total residential units) with associated highway infrastructure, parking and landscaping works.

20/03013/PREAPP – Pre-application advice was sought for the erection of 233 residential units, comprising 87 dwellings and 146 older person independent living accommodation units (Phases 3 and 4).

12/01293/FUL – Phase 2 of Newstead, consisting of 20 dwellinghouses was granted planning permission in August 2012.

07/00807/FUL – Phase 1 of Newstead, consisting of 56 dwellinghouses was granted planning permission in October 2007.

03/02815/RG3 – Outline consent was granted in September 2003 for the demolition of 139 dwellinghouses and the erection of a new residential development at Birley Moor Avenue, Newstead Avenue, Newstead Grove, Newstead Place and Newstead Road.

## SUMMARY OF REPRESENTATIONS

In addition to direct neighbour notification, the application has been advertised in the local press (19.08.2021) and several site notices have been displayed on frontages around the site (11.08.2021). Following neighbour consultation, 1 letter of representation has been received in respect of the proposed scheme, comments of which are summarised below:

- Scheme seems to be of an excellent quality, but the environmental performance is below what would be expected in 2021 and required by council policies;
- Policy CS65 seems to have been misinterpreted and the development should provide a minimum of 10% of predicted energy needs from decentralised and renewable or low carbon energy; and reduce the development's overall predicted carbon dioxide emissions by 20%;
- Multiple gas boilers are to be installed – this is not appropriate when the city is aiming to be net zero by 2030;
- Air or ground source heat pumps would be significantly more appropriate; and
- Queried point 7 in the energy report in respect of the use of gas fire boilers and future proofing to meet the government's 2050 net zero commitments by focusing on low carbon heat technologies and improved energy efficiency, but this advice has not been followed and are going forwards with a boiler solution.

## PLANNING ASSESSMENT

### Policy Background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that planning applications are

determined in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) provides the framework for the planning policy and development within England. The overarching principle is to ensure that new development is sustainable.

The Council's development plan comprises the Core Strategy which was adopted in 2009 and provides the overall spatial strategy for the period of 2008 to 2026 and the saved policies of the Unitary Development Plan (UDP) which was adopted in 1998. Whilst the UDP pre-dates the NPPF, the policies should not be considered out-of-date and should be given due weight, according to their degree of consistency with the NPPF. The NPPG provides further guidance on this but it does state that it is up to the decision-maker to decide the weight to give to the policies.

In all cases, the assessment of any development needs to be considered in light of paragraph 11 of the NPPF, which states that there is a presumption in favour of sustainable development. Where there are no relevant development plan policies or policies are not consistent with the NPPF, planning permission should be granted (the tilted balance) unless there are particular areas or assets of particular importance, which provide a clear reason for refusal (eg Green Belt, risk of flooding etc); or any adverse impact of granting permission would significantly and demonstrably outweigh the benefits of the development.

Paragraph 11 of the NPPF also makes specific provision in relation to applications involving the provision of housing and provides that where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites, the policies which are most important for determining the application will be considered to be out of date. At this current time, the Local Planning Authority cannot demonstrate a five year supply of sites for housing and therefore there is a presumption in favour of the development. The Framework states that developments should be approved unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development.

Set against this context, the development proposal is assessed against all relevant policies in the development plan and the NPPF below.

#### Land Use Policy

The site lies within a well-established housing area and relates to land which is largely designated as housing but with a small portion of designated Open Space in the Unitary Development Plan (UDP). UDP Policy H10 'Development in Housing Areas' permits a number of uses within such areas including small shops, food and drink outlets, residential institutions (C2 use) and community facilities and institutions (Class E and F1), with the preferred use being housing (C3 use).

The proposal seeks to provide independent living accommodation for older people and assisted living accommodation, both of which will be supported by ancillary facilities such as a community hall, shared community space and a café (the latter of which will also be open to the general public). In respect of the living accommodation, this would not fall within a specific use class and is therefore considered to be a 'Sui Generis' use; a use which should be decided on its individual merits, as required by UDP Policy H10. Given the nature of the proposed use, being residential in character it is considered to be compatible within this environment. As such, the principle of this form of housing development in this location is considered acceptable in policy terms. Other ancillary uses, such as the proposed community hall and café, are acceptable uses in housing areas, complying with Policy H10.



Core Strategy Policy CS23 'Locations for New Housing' states that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period 2008/09 to 2020/2021, the main focus will be on suitable, sustainably located, sites within or adjoining:

- (a) the main urban area of Sheffield (at least 90% of additional housing); and
- (b) the urban area of Stocksbridge/Deepcar.

In this regard, the site fully meets the policy objective as it is a suitably located site and it supports urban regeneration as it is previously developed land where homes were cleared with the long-standing intention of delivering new, quality housing.

Core Strategy Policy CS24 'Maximising the Use of Previously Development Land for New Housing' states that priority will be given to development of previously developed sites with 88% of housing to be developed on brownfield site and no more than 12% of dwelling completions to be on greenfield sites. The site represents a brownfield site, given that it was previously occupied by dwellinghouses which have since been demolished. Part a of the Policy does state that in the case of a greenfield site it will only be developed in a Housing Market Renewal Area and other housing renewal areas where it is essential for the effective regeneration of the area and adequate open space would be retained to meet local needs. In this regard, if the site was considered to be greenfield it would meet this requirement.

Core Strategy Policy CS26 'Efficient Use of Housing Land and Accessibility' requires appropriate housing densities to ensure the efficient use of land. Given that the site is within an urban area, near to Supertram stops and high-frequency bus routes the recommended density will be between 40 and 60 units per hectare. Based on the current proposal, a density of approximately 75 units per hectare will be achieved, which although above the recommended range, is considered acceptable, particularly in the context of the current housing land supply position. The new development will contribute to meeting the City's housing needs; and whilst it is of a higher density, which is inevitable given the type of accommodation proposed, it will still enable large areas of informal open space to be provided across the wider site (including phase 3), such that it will not compromise the character of the area. In this regard, it is therefore considered that the proposal will accord with Policy CS26.

Core Strategy Policy CS41 'Creating Mixed Communities' encourages the creation of mixed communities, which will be promoted by encouraging the development of housing to meet a range of needs including a mix of prices, sizes, types and tenures. Part a of CS41 seeks to provide a broad range of smaller households in the City Centre and other highly accessible locations, with no more than half of the new homes in larger developments (large developments being defined as 60 or more dwellings) consisting of a single house type. The development will provide 123 older person independent accommodation and 18 supported living units, comprising of 1 bed and 2 bed units. Given that this is the final phase of development of the wider Newstead masterplan, when combined with the recently approved general needs housing scheme it will result in a wide mix of accommodation types and will meet the City's current housing need and the requirements of the policy.

Core Strategy Policy CS40 'Affordable Housing' requires that sites of more than 15 units will be required to provide a contribution towards the provision of affordable housing where it is practicable and financially viable. In this location, there is a requirement to provide 10% affordable housing. As the development will provide 100% council housing for affordable rent this will meet the requirements of the policy and is to be welcomed given the identified need for such housing.

The south-western edge of the site lies within a designated Open Space area and as such, Core Strategy Policy CS47 'Safeguarding of Open Space' is relevant. The Policy serves to ensure there is satisfactory open space available to meet the needs of local people. The policy does not permit development where it would:

- a. Result in a quantitative shortage of either informal or formal open space in the local area; or
- b. Result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or
- c. People in the local area would be denied easy or safe access to a local park or to smaller informal open space that is valued or well used by people living or working in the local area; or
- d. Cause or increase a break in the city's Green Network.

An Open Space Assessment has been carried out, which shows that, overall, there is a shortfall of open space within the local area, and it is for this reason, that it was recommended in an Informal Planning Advice Note (published December 2019) for the remainder of the Newstead site that 0.73 hectares of open space be incorporated into any future scheme. Flexibility could be applied as to how this could be distributed across the site, but with the requirement to protect key tree groups, which for this application is the area located along the south-west perimeter; an area which forms part of the open space area identified along the north-east of the adjacent general needs housing development.

This proposal when combined with the General Needs housing scheme (21/01059/RG3) will provide 1.09 hectares of informal open space being concentrated in the areas where existing groups of trees exist. This level of provision will result in a small net increase in the overall provision of open space in the locality and as such, will meet the requirements of part a. There will be no loss of designated open space and no break in the city's Green Network, thus complying with parts b and d. Following the demolition of the dwellinghouses on the site the area has become an area of green space which is regularly used by local residents. Whilst it is acknowledged that this area has developed into an informal open space for people to enjoy, it does not override the fact that the site has been identified as a housing site in successive Strategic Housing Land Availability Assessments (SHLAAs) and has been proposed as a site allocation in previous local plan drafts. Given that the site has been cleared, it has always been the intention of redeveloping new homes on this site. In this regard, it is considered that the proposal will comply with part c of the policy.

### Design/Visual Amenity

UDP Policy BE5 and Core Strategy Policy CS74 set out the design principles. Policy BE5 requires development to incorporate good design, the use of good quality materials and encourages original architecture. New buildings should complement the scale, form and architectural style of surrounding buildings and the design should take account of the natural and built features of the site.

Core Strategy Policy CS74 states that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the City, its districts and neighbourhoods, including (a) the topography; (b) views and vistas to landmarks and skylines into and out of the City Centre; (c) the townscape and landscape character of the city's districts, neighbourhoods and quarters, with their associated scale, layout and built form, building styles and materials; and (d) the distinctive heritage of the city. Development should also contribute to place-making and be of high quality, that promotes the city's transformation, and contribute towards creating attractive, sustainable and successful neighbourhoods.

UDP Policy H15 'Design of New Housing Developments' expects new housing developments to be designed to:

- (a) provide easy access to homes and circulation around the site for people with disabilities or with prams; and
- (b) provide adequate private gardens or communal open space to ensure basic standards of daylight, privacy, security, and outlook are met for all residents; and
- (c) provide uniform walls or fences around rear gardens next to roads, footpaths or other open areas; and
- (d) provide pedestrian access to adjacent countryside where it would link with existing public open space or a footpath; and
- (e) comply with Policies BE5 (Design), BE9 (Design of Vehicles) and BE10 (Design of Streets, pedestrian routes, cycleways and public spaces).

These policies are broadly in line with the NPPF and afford substantial weight. Paragraph 126 states that good design is a key aspect of sustainable development as well as being clear about design expectations. Paragraph 130 states that developments need to contribute towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change. Developments should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live work and visit.

In 2011 a guidance document was produced, the 'South Yorkshire Residential Design Guide' (SYRDG), which seeks to provide a clear and consistent approach to design in the development management process, the aim being to achieve higher quality neighbourhoods. The document, whilst not adopted, complements and supports local policies and is considered to be 'Best Practice Guidance'. The proposed development has been designed with consideration given to the design principles set out in the guidance, whilst also balancing the needs of the development.

These proposals form part of the wider Newstead site, which was subject of an Informal Planning Guidance (IPAN) which was prepared by the Council's Planning Service (in December 2019), which sets out the policy framework, the issues and the opportunities. Although not an adopted document, the policies and evidence within it do carry weight in the decision-making process.

The key recommendations within the IPAN for the wider Newstead site:

- Rationalise the extensive footpath network of the former Radburn estate layout, into fewer but more direct links to local facilities and routes;
- Integrate and extend the tree group along the southern boundary to the west, while creating opportunities for framed views;
- Capitalise on long distance views over the surrounding countryside from the southern edge of the site;
- Ensure development sensitively responds to boundaries bordering existing properties; and
- Ensure parking is well integrated into the street scene in a convenient and accessible location which is well overlooked.

This scheme has been subject to extensive pre-application discussions and the proposals have been reviewed and revised to address all issues raised through the process. The proposal now put forward is in line with those discussions and is positively received.

The site is identified as a key gateway into the city centre. Public transport connectivity to the site is good and the local neighbourhood centre is within walking distance. In principle, a well-structured, effectively connected and distinctive residential development is considered acceptable on this site.

The layout and arrangement of buildings responds positively to the topography and the existing street plan with the buildings set appropriately within the landscape, with private and public areas, and legible frontages created. The development links smoothly into the Phase 3 development on the southern half of the wider Newstead development site with good pedestrian connectivity achieved through the site along a defined and strong network of routes, with particular emphasis on the connection from north to south, providing links to the main highway where public transport is available and connecting to neighbouring housing and areas of open space.

The proposed scale and massing achieves a legible development, placing the higher elements of the overall massing in key locations / nodes that enhance the overall legibility of the site. The buildings have flat roofs, which helps to keep the overall height down but distinguishes them in contrast to the dominant saw-tooth profiles of the houses proposed on the adjacent site to the south.

The site is split into 2 halves, with the carriageway of Newstead Grove sitting centrally within the site providing a natural break between the two areas. The northern half will comprise the main OPIL apartment block; a flat roofed, three/four storey block, rising to five storeys at either end along the east elevation where there is an expressed stairwell. The building is set out as a wraparound 'C' shaped layout form, overlooking onto an inner shared communal courtyard, with residential and ancillary accommodation facing both inwards and outwards onto the street. The main entrance into the building is located to the north facing onto Birley Moor Avenue, and in the south facing elevation is a main community entrance serving an ancillary community hall and café. Secondary entrances exist around the building, providing access for residents and staff.

The southern half comprises of 5 buildings; four x 4 storey apartment blocks and a 3-4 storey, complex-needs block. The blocks are sited and arranged such that they provide an enclosure to a private communal garden in the centre, although the complex-needs building will have its own private outside amenity space. The apartment blocks have a flat roof and have a simple rectangular footprint, with a series of regular openings across the floors, with an expressed entrance and stairwell and recessed balconies featured on the corners. The complex-needs block is of the same design, being of a similar scale and architectural approach; incorporating similar regular openings across the floors and stairwell but does not feature balconies. The building has a more varied plan form, with elevations incorporating set backs and returns and stepping in height to respect the topography.

The elevations to the main block incorporate vertical breaks to avoid a slab like linear form and helps to break up the elevations and provide variation. Large punched regular openings interjected with randomly positioned full-height brick feature panels with projecting heads and brick sills, which are located adjacent to glazed openings, grouping windows together in some cases, will add further visual interest without interrupting the strong repetitive facades.

All the buildings incorporate architectural detailing, which is reflective of the adjacent general needs housing development, thus maintaining a consistent design approach, resulting in a smooth transition between the two phases, and ensuring a coherent streetscene. The buildings are simply articulated but sufficient to provide visual interest and avoid large expanses of blank facades. The architectural approach is again simple but effective, avoiding fussy elevation and providing variation. The elevations

incorporate masonry brickwork, with feature brick panels to add interest and to help break up areas, responding to the brickwork detailing found in the context.

Simple, well-crafted brick detailing, with articulated brickwork using protruding headers and sills feature throughout the site, adding richness to the facades. Main entrances to the main OPIL block will be pronounced by being framed in contrasting concrete, whilst apartment block entrances will be at a domestic scale; recessed with a simple short, cantilevered concrete canopy. Framing the entrance picks up on door surround details of the lower site and was influenced by the design of the existing Birley Moor housing stock.

A single buff brick is proposed to the majority of the site, which will result in a fresh appearance and whilst it would contrast with the dark brick of the original Birley Moor estate, it will blend in with the earlier phases of the wider Newstead development site. Dark grey/brown brick will be introduced and provide contrast at specific locations. A minority of elevations will be faced in a darker brick to break up the elevations. Curtain walling and UPVC doors, doorsets and windows colour finished in dark grey will contrast and complement the buff brick. With the addition of simple vertical metal balustrading/railings to balconies, which will look elegant set against the brick facades and being also colour finished to match the window frames will help to create a coherent streetscape throughout the wider site.

Car parking will be distributed throughout the site, to facilitate the different functions of each building. The car parking areas are not excessive in size, however, with the addition of soft landscaping, it will soften the development and enhance the street frontages, thus ensuring the car parking areas do not appear dominant in the street scene.

The design of the accommodation has also been developed with South Yorkshire Police, in line with their recommendations to achieve a safer and more secure development for future occupants.

The level of articulation and good quality materials will complement each other, creating a high-quality development which will blend in with the existing landscape and townscape. Success of this scheme will be in ensuring that design quality is retained to achieve high quality detailing. Large scale typical details including samples of materials will be secured by condition.

The proposed development has been designed such that it will largely be in line with the standards set out in the SYRDG, which is a guidance only document. The proposed development will achieve a good quality older person's accommodation, which will comfortably fit within its setting between the pre to post war traditional semi-detached homes of the Birley Moor estate to west and the later SWaN residential scheme to the south-east.

The scheme will deliver an appropriate degree of articulation and richness which will meet the requirements of local design policies and the National Planning Policy Framework.

## Landscaping

UDP Policy GE15 'Trees and Woodland' requires the retention of mature trees, copses and hedgerows, where possible, and replacement of any trees which are lost. This is consistent with Paragraph 174 of the NPPF sets out that planning decisions should enhance the natural and local environment and makes reference in part (b) to the economic and other benefits of trees and woodland.

A detailed landscape masterplan has been submitted in support of the application. The existing landscape setting including trees and hedges have been integrated successfully. In delivering the scheme some existing trees will be removed and their loss will be compensated for through the planting of a number of new trees across the site.

The comprehensive mix of hard and soft landscaping will be introduced to both the inner courtyard and other designated private amenity space of the OPIL block and the communal outside space serving the individual apartment blocks, with external seating and tables provided for the benefit of residents. The soft landscaping will provide a variety of planting in various modes combined with retaining structures and appropriate hard-surfacing and boundary treatments. The submitted details are satisfactory and the finer details will be secured by condition.

## Sustainability

Core Strategy Policy CS24 seeks to maximise the use of previously approved land for new homes. Development of this site will contribute towards the achievement of this aim.

Core Strategy Policy CS64, which relates to climate change, resources and sustainable design of developments, requires that all new buildings to be designed to reduce emissions of greenhouse gases and function in a changing climate.

Core Strategy Policy CS65, which relates to renewable energy and carbon reduction, requires that all significant developments should provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

These policies are consistent with the NPPF (para. 157) which states that in determining planning applications, Local Planning Authorities should expect new development to:

- a) Comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

An Energy Statement has been submitted which confirms that a fabric first approach will be taken, achieving high levels of insulation for all the development. It is predicted that the development will achieve a reduction in energy consumption of 14.8% for the apartments, 15.2% for the non-domestic OPIL block, and 21.5% for the non-domestic complex-needs block above the current building regulation standards. This demonstrates that a greater than 10% reduction in energy consumption can be achieved based on a fabric first approach, and thus meets the policy requirements.

Other sustainability measures will be included within the development such as permeable paving, secure cycle parking provision, high efficiency boilers, use of LEDs and a highly efficient mechanical ventilation heat recovery system.

The orientation, massing and topography has influenced the layout of the site, achieving limited north-facing elevations and with the flat roof forms, maximising on the opportunity to retrofit solar microgeneration panels in the future. The site has previously been developed and is sustainably located being well-positioned to integrate into the existing footpath and highway network, offering easy access to public transport.

Landscape enhancements will increase biodiversity and reinforce their role within the wider environment.

A condition will be imposed to secure the measures are implemented and thus, comply with the requirements of the above policies.

### Residential Amenity Issues

UDP Policy H14 'Conditions on Development in Housing Areas' permits new development provided that:

(c) the site would not be over-developed or deprive residents of light, privacy or security or cause serious loss of existing garden space which would harm the character of the neighbourhood; and

(d) it would not suffer from unacceptable air pollution, noise or other nuisance or risk to health or safety.

This is in line with NPPF paragraph 130 f) which states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### Noise and Disturbance

The site is located in a residential area with relatively low background levels. The predominant noise source is road traffic of Birley Moor Road, Birley Moor Avenue and Birley Lane. Vehicular movements are considered to be high.

A Preliminary Feasibility Study: Acoustic Consultancy Report has been submitted and reviewed by the Environmental Protection Service. The residential accommodation will be designed to adequately attenuate surrounding noise sources and provide suitable internal noise levels. Conditions will be imposed to secure that appropriate acoustic measures will be implemented.

The construction works will take place near to existing residential properties, and as such there is a real potential for disamenity, as a result of noise, vibration, dust, light from site security. It will therefore be necessary to require the developer to provide a Construction Environmental Management Plan (CEMP), which will cover all phases of any site clearance, groundworks and above ground level construction. This will ensure that the amenity of existing residents will be maintained during the construction phase. An appropriate condition will be imposed.

### Odours

The proposed development will provide a café facility in the main block, which will serve the residents and be open to the public. At this stage it is not clear as to what type of cooking will take place on the premises. Careful consideration will be required of how fume extraction systems will be ducted to achieve dispersion at height if any commercial kitchen is proposed. There is a potential for noise from any proposed fume extraction systems and so therefore to ensure that future residents of the building will not be adversely affected by odours and noise from any future fume extraction system, appropriate conditions will be imposed to secure full details of any proposed fume extraction system, and plant and equipment.

The proposed café and community hall will be an integral part of the main block and will primarily serve the needs of future residents. It is not considered that the operation of these facilities will create any additional noise which is to the detriment of future residents of the building and as such, it is not considered necessary or appropriate to impose conditions to restrict opening hours.

#### Amenities of Future and Existing Residents

The proposal will provide 1 and 2 bed apartments. The type and size of accommodation has been identified by Sheffield City Council Housing to meet housing requirements. All the apartments are Category 2 adaptable homes in line with Approved Document M, and 10% of homes are Category 3 wheelchair accessible.

The internal layout of the accommodation is acceptable, meeting current space standards and providing sufficient natural light and outlook to the individual rooms. In the case of the Complex-Needs block, the layout has been designed in a different way, in order to deal with incidents as a result of residents' behaviour. The kitchen will be separated from the living room and although it will not benefit from an external window, it will have an internal glazed screen to allow light into the space. Although not ideal, given that the floorplan is not too deep it will provide a satisfactory amount of light from the living room into the kitchen area. The residents will also have access to a communal meeting room and private outside space.

The main OPIL block will include informal seating areas distributed within the building, providing opportunities for social interaction between residents. Some apartments both within the main block and other blocks will benefit from private amenity space in the form of a balcony or small terrace, but all residents will have access to communal outside space, which will contain outside seating and be set within a safe and secure landscaped environment.

All of the accommodation will be served with appropriate bin storage facilities, in-curtilage car and cycle parking, and mobile scooter accommodation. The residents will have access to the community hall, which will be programmed through the day and evening, and a café will also be available.

The layout of the main block is arranged in a manner that will inevitably lead to some level of overlooking between the individual apartments. However, it has been configured in a way to reduce the amount of overlooking by providing some inward facing corridors. Separation distances between the facing elevations are satisfactory, and with the acute positioning of elevations, the extent of overlooking is not considered to be significant. The shape and orientation of the building is such that the inward facing elevations gradually splay outwards, maximising on the natural sunlight from the south.

In respect of the southern half of the site, this accommodation will also benefit from adequate light and outlook. The positioning of the blocks allows acceptable separation distances between main facing windows, with distances ranging from 21 to 33 metres being achieved. The juxtaposition of blocks also ensures that there is no overbearing impact on individual units.

In respect of any impact on existing residential properties, it is not considered that the proposed development will have an adverse effect. More than 21 metres exists between Block C (at the most southern end) and the nearest existing residential properties fronting onto Parkland Crescent. This degree of separation, even allowing for a small number of balconies, is not considered to result in significant overlooking. The separation and being located to the north will not result in an overbearing impact or a significant loss of light to the windows of these properties.



On this basis, it is considered that the proposed development will not adversely affect existing residents and appropriate accommodation will be provided for future residents of the site. As such, the proposal will accord with UDP Policy H14 and the NPPF.

## Highways

UDP Policy H14 'Conditions on Development in Housing Areas' permits new development provided that (b) new development would be well laid out with all new roads serving more than five dwellings being of an adoptable standard; and (d) it would provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

The NPPF seeks to focus development in sustainable locations and make fullest possible use of public transport, walking and cycling.

The site is in a location which offers local services and facilities within walking distance of the site. There are high frequency bus routes and a tram route within walking distance (400 metres) of the site, which is in line with IHT 'Guidelines for Planning for Public Transport'. There are excellent links to surrounding areas including the city centre and Crystal Peaks.

The proposal does not raise highway concerns. The development takes access from a number of points (Birley Moor Avenue, Newstead Avenue, Newstead Grove and Parkland Crescent). All are designed as priority junctions and are acceptable in terms of width and visibility. The layout provides safe access/egress to all buildings with adequate manoeuvring available for service and emergency vehicles.

The technical works for all new highway accesses will be agreed via a Section 278 agreement under the Highways Act 1980.

A Transport Assessment has been carried out and has been reviewed by the Highways Officer. The report demonstrates that the development will not have an adverse effect on the safety or operation of the local highway network. In the report it estimates that the development will generate 25 two way movements in the AM peak (0800-0900) and 26 in the PM peak (1700-1800). The impact of the additional traffic has been assessed on the following junctions:

- a. A6135 Birley Moor Road / Birley Moor Avenue
- b. A6135 Birley Moor Road / A6135 Moor Valley Road / Birley Lane / Sheffield Road
- c. Birley Lane / Newstead Road
- d. Birley Lane / Birley Moor Crescent

The capacity assessments quite clearly demonstrate that the proposal will have no discernible impact on the operation of the highway, with no material increase in queuing or reduction in capacity. The personal injury accident data for the most recent 5 years has also been assessed and it is concluded that the accident record for the area does not represent a material concern in respect of this development.

The development comprises of 141 apartments for older people. The current Sheffield City Council Parking Guidelines do not provide information specific to this type of use. Previously a provision for similar types of use has been based on 1 space per 3 units (McCarthy and Stone type developments). The proposed provision is higher than this, however this is considered prudent given that it is likely that the proposal will have higher staffing levels and also the fact that the constraints of the existing highway network mean that it is vital to ensure that the development does not create any

significant level of on-street parking demand. It is therefore considered that the proposed level of parking is acceptable.

Secure cycle parking and mobile scooter parking provision will be made available for the development, final details to be secured by condition.

A street lighting plan has been submitted in support of the application, which is for indicative purposes only, as the details have not yet been agreed.

The wider development site will require a number of changes in terms of highway closures, new highways and highways to be improved. These areas have been agreed and approval was given by the Head of Strategic Transport and Infrastructure on 19<sup>th</sup> April 2021.

Subject to the imposition of conditions to secure the highways works and for a travel plan to be submitted to encourage future occupants and staff towards more sustainable forms of transport, the proposed development is considered acceptable, with no adverse impact on the highway network. As such, the proposed development will accord with UDP Policy H14 and the NPPF.

## Drainage

Core Strategy Policy CS67 requires developments to significantly reduce surface water run-off from the site.

A Drainage Strategy has been submitted and reviewed by Yorkshire Water and the Lead Local Flood Authority (LLFA).

Yorkshire Water has confirmed no objection to the proposed drainage strategy. Yorkshire Water agrees to separate systems of drainage on site, with combined drainage off-site; foul water draining to the public combined sewer; and surface water discharging to the public combined sewer, via storage, with a restricted discharge rate of 9.25 litres per second.

The Lead Local Flood Authority (LLFA) has confirmed that the discharge rate to the combined sewer is acceptable. The drainage details show that attenuation will be provided by underground tanks. The LLFA has suggested that blue roofs and the use of permeable car park sub-bases should be explored as part of the final design.

An appropriate condition will be imposed to secure full details of the design of the proposed drainage arrangements and a further condition will be imposed setting out the surface water discharge rate.

## Ecology

UDP Policy GE11 requires that the natural environment is protected and enhanced. The design, siting and landscaping of development should respect and promote nature conservation and include measures to reduce any potentially harmful effects of development on natural features of value.

Paragraph 174 of the NPPF states that development should minimise impacts on and provide net gains for biodiversity. The local policy requirement to protect and enhance the nature environment strongly reflects the relevant policy in the National Framework and so can be offered substantial weight.

The key principle of the NPPF is to conserve and enhance the natural environment. The planning system should contribute to and enhance the natural and local environment by

minimising impacts on biodiversity and providing net gains in biodiversity where possible.

An Ecological Survey and a Preliminary Ecological Appraisal have been submitted, which was also submitted in support of the proposed development of Phase 3 of the wider Newstead development site.

This summarises that the habitats present on site consist of amenity grassland with scattered trees, tall ruderal, poor semi-improved grassland, plantation woodland and scrub. Waxcap mushrooms were identified within the grassland, which is within the built development and so would be lost. Further survey work is recommended. However, the two species identified are our two commonest species, so impacts to grassland fungi should only be considered at a site level. The Council's ecologist has put forward the possibility of translocating some of the turfs and soils from these areas to other parts of the site.

The PEA recommends that trees and scrub be retained but if removal is necessary, such works should be carried out outside the bird breeding season; bird and bat boxes should be installed to increase roosting potential on site; measures to reduce the impact of artificial lighting and reduce light spillage; consideration of mammals during the construction phase; and provision made to allow hedgehogs freedom of movement by avoiding solid garden fences and walls.

In light of the above, a biodiversity ecological management plan is required, details of which will be secured by condition.

#### Land Contamination

A Phase 1 Geo-Environmental Preliminary Risk Assessment, a Phase 2 Geo-Environmental Intrusive Investigation, and a Remediation Strategy has been submitted in support of the application. The Environmental Protection Service (EPS) has reviewed the documentation and confirmed that they are satisfactory.

Two conditions will be imposed to ensure the development is carried out in accordance with the recommendations set out in the Remediation Strategy and for such remediation measures to be appropriately validated.

#### Archaeology

An Archaeological Watching Brief Report has been submitted which has been reviewed by South Yorkshire Archaeology Service (SYAS). Following archaeological monitoring, no archaeological evidence was found and as such, no further archaeological work is required. It will therefore not be necessary to apply any planning conditions in this case.

#### Community Infrastructure Levy (CIL)

The proposed development will provide independent and supporting accommodation which comes under retirement, assisted living accommodation and as such, it will be exempt from a contribution under the Community Infrastructure Levy (which was introduced in July 2015).

#### SUMMARY AND RECOMMENDATION

The redevelopment of this site is welcomed and it will make a significant

contribution to the Council's 5 year housing supply and to the City's specific housing needs. It is considered that the proposal represents a well-considered sustainable scheme which responds well to the site context.

Having regard to all the key issues which have been addressed in this report, it is considered that the development is in accordance with the Development Plan and the National Planning Policy Framework and will provide wider public benefits which in this case is the significant contribution of affordable specialist older persons housing, which is currently in short supply given the ageing population, and the redevelopment of the site with a high-quality sustainable development.

As Sheffield cannot demonstrate a 5-year housing supply, the "tilted balance" applies in this case and the most important policies for determining the application are automatically considered to be out of date. It therefore follows that planning permission should be granted for this development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The report demonstrates that the benefits in this case very clearly outweigh any minor harm. It is therefore recommended that planning permission be granted subject to the listed conditions.